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| 1  | WILLIAM E. JEMMOTT (SBN 198671)  |  |  |
|----|--|--|--|
| 2  | 4100 Redwood Rd. Ste 338<br>Oakland, CA 94619  |  |  |
| 3  | Telephone: (510) 569-6203  |  |  |
| 4  | Facsimile: (510) 569-6203  |  |  |
| 5  | Attorney for Defendants Louis Davis and Sue Anne Davis                                       |  |  |
| 6  | Louis Davis and Sue Affile Davis   |  |  |
| 7  |  |  |  |
| 8  | UNITED STATES DISTRICT COURT   |  |  |
| 9  | NORTHERN DISTRICT OF CALIFORNIA  |  |  |
| 10 |  |  |  |
| 11 | LOUBLE DEPTH   | Case No: 3: 8-CV 3115                          |  |
| 12 | JOHN ERIC PERTH,   | STIPULATION REQUESTING                         |  |
| 13 | Plaintiff,   | CONTINUANCE OF HEARING DATE  AND ORDER THEREON |  |
| 14 | vs.  |  |  |
| 15 | LOUIS DAVIS AND SUE ANNE DAVIS, Et   |  |  |
| 16 | al. Defendants.  | , s  |  |
| 17 | Defendants.  |  |  |
| 18 |  |  |  |
| 19 |  |  |  |
| 20 |  |  |  |
| 21 | The parties to the above captioned matter, by and through their respective                   |  |  |
| 22 | undersigned counsel stipulate and agree as follows:  |  |  |
|    |  |  |  |
| 23 | 1. Defendants filed a motion pursuant to FRCP 36, for an order permitting defendan           |  |  |
| 24 | to withdraw deemed admitted admission. Defendant scheduled a hearing on the motion for April |  |  |
| 25 | 21, 2009.  |  |  |
| 26 |  |  |  |
| 27 | 2. The court issued an order continuing the motion to April 28, 2009.                        |  |  |
| 28 |  |  |  |
|    |  |  |  |
|    | STIPULATION REGA   | RDING HEARING DATE                             |  |

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| 1  | 3. From April 25, 2009 to May 1, 2009 counsel for defendants, William Jemmott                        |  |
|----|--|--|
| 2  | will be in Florida. The purpose of this trip is to visit is 82 year old mother and his 85 year old   |  |
| 3  | step father, whom he has known for 38 years, His step father is in failing health it is likely this  |  |
| 4  | may be the last time he sees his step father. He is also taking is wife and 3 year old son to visit. |  |
| 5  | 4. This trip was planned for several months. All travel arrangements have been                       |  |
| 6  | 5. The parties request the court continue the motion to May 5, 2009.                                 |  |
| 7  |  |  |
| 8  | It is so stipulated.   |  |
| 9  | it is so supulated.  |  |
| 10 |  |  |
| 11 | Dated: March 26, 2009  | KERR & WAGSTAFFE   |
| 12 |  | BY:  |
| 13 |  | /S/  |
| 14 |  | ADRIAN SAWYER  |
| 15 |  | Attorneys for Plaintiff  |
| 16 |  |  |
| 17 | Dated: March 26, 2009  | LAW OFFICE OF WILLIAM JEMMOTT  |
| 18 |  | BY:  |
| 19 |  | /S/  |
| 20 |  | WILLIAM JEMMOTT  |
| 21 |  | Attorney for Defendants  |
| 22 |  | ATES DISTRICT  |
| 23 |  |  |
| 24 |  | SO ORDERED 3   |
| 25 |  | SIT IS SO OF Level 4   |
| 26 |  | IT IS SO ORDERED  Judge Elizabeth D. Laporte  Judge Elizabeth D. Laporte |
| 27 |  | Judge Elizabeth D. 201   |
| 28 |  |  |
|    |  | DISTRICT OF CE   |

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